

60-1179-166
19 MAR 1979

MEMORANDUM FOR: Deputy Director for Administration

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FROM :
Director of Communications

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SUBJECT : Background Paper - National Communications
Directive

1. Action Requested: None. This memorandum is for your information only. Its purpose is to inform you of the background and current status of the National Communications Security Directive and of a potentially controversial issue associated with the directive.

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2. Background:

a. From August 1968 to November 1977, national communications security policies were established and issued by the United States Communications Security Board (USCSB) with a membership similar, but not identical to the Intelligence Community. The DCI's principal representative on the Board was the Director of Communications.

b. In November 1977, the USCSB was disestablished by Presidential Directive/NSC-24 (Attachment 1) which also realigned the national management and policy review responsibilities for communications security as shown in Attachment 2.

c. In May 1978, the Assistant Secretary of Defense for Communications, Command, Control and Intelligence (ASDC³I), acting for the Executive Agent, circulated to the former USCSB members a draft Executive Agent COMSEC Directive which established organizational relationships and delegated functions within the government for the discharge of the responsibilities assigned to the Secretary of Defense as Executive Agent for COMSEC.

d. A principal feature of the draft directive was the establishment of a National Security Communications Protection Committee (NSCPC) with a membership and mission very similar to the former USCSB. The singular difference was that the NSCPC only recommended policy to the Executive Agent for COMSEC, whereas the former USCSB established policy.

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e. In its critique of the draft (Attachment 3), and in subsequent meetings on the subject, CIA contended that national policy should be established by the committee based on a vote of the full membership. The Departments of State, Treasury, and Navy shared that position. That change and others were incorporated into the draft and a final draft (Attachment 4) was submitted to the DoD General Counsel some time around September 1978.

f. In the course of staffing out the final language of the draft directive, we provided the DCI with two information memoranda. His note on the memorandum of 3 August (Attachment 5) indicates that the DCI had reservation about our position on the issue of establishing policy versus recommending policy. No response was made to the DCI's note because none was called for and because we felt that the issue could be resolved to our satisfaction at the staff level without DCI intercession. On the 7 August memorandum (Attachment 6) the DCI indicated that he agreed with the ASDC³I statement that PD-24 clearly indicated that the Executive Agent would establish policy. Although we find no language in PD-24 which specifically supports the ASDC³I statement, we acknowledge that PD-24 imposes no restrictions on how the Executive Agent should carry out his responsibilities - he is left free to establish policies and procedures as he sees fit. We do not challenge the Executive Agent's authority to limit the committee to an advisory role, we only argue the view that national COMSEC policy interests are better served by a policy making committee.

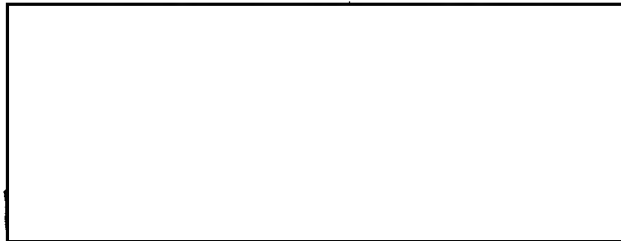
g. Our premise is that sound national COMSEC policy must be a balanced reflection of civilian and DoD interests. That precept is not viable if the Secretary of Defense in his Executive Agent capacity has absolute power over the committee. We would note

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25X1 administer a national asset which supports national
[] objectives at some []
locations around the world. [] customers include
civilian and military elements of the government, and
we feel strongly that the managers and civilian users
of such a system should have a strong voice in the
formulation of the national COMSEC policies to which
they will be bound.

25X1 h. Recently we were informed that as a result
of the DoD General Counsel review, the draft directive
will be changed to recast the committee in its original
role as an advisory body. Ultimately, the new draft will
be submitted to the community for final comment. We
will keep you advised of the issues involved and positions
taken. []



Attachments:

- 1 - Presidential Directive/NSC-24
- 2 - Chart of Proposed COMSEC Community Structure
- 3 - CIA Critique of National Security Communications
Protection Committee Draft Directive
- 4 - Final Draft of National COMSEC Directive
- 5 - Information Memo to DCI
- 6 - Information Memo to DCI

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